



Legislative Background Brief

for the
Economic Affairs Interim Committee

Revised March 2013

Board of Funeral Service

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Board = 6 members appointed by the Governor with the consent of the Senate. Three must be licensed morticians. One is a public member not engaged in mortuary science or funeral directing. One is a licensed crematory operator or technician or mortician engaged in a crematory operation. One must be a representative of a cemetery company governed by Title 37, chapter 19, part 8. Terms are staggered, for 5 years.

| | |
|--|---|
| Licensed Morticians Ronald Brothers, Hamilton (7/1/2012) R.J. Brown, Lewistown (7/1/2014) William Cronin, Havre (7/1/2013) | Cemetery Representative Bart Thompson, Helena (7/1/2012) Crematory Operator Thomas Meeks, Great Falls (7/1/2015) |
| Public Member John Tarr, Helena (7/1/2012) | |

Number of Active Licensees and Licensing Fees (active renewal in parentheses)

| | FY 2010 Licensees | Licensees September 2011 | Fees |
|----------------------------|-------------------|--------------------------------|------------------------|
| Morticians | 189 | 162, of which 23 out of state | \$250 (\$200) |
| Crematory Operators | 73 | 78, of which 1 out of state | \$200 (\$100) |
| Crematory Technicians | 37 | 37, of which 1 is out of state | \$200 (\$100) |
| Mortuaries | 79 | 73 | \$200 (\$300) |
| Branch Facilities | 14 | 15, of which 1 is out of state | \$250 (\$50) |
| Privately Owned Cemeteries | 9 | 10 | \$1,250 (\$1000/5 yrs) |
| Crematoria | 31 | 32 | \$250 (\$300) |

Revenues FY2008-FY2010 and Budgets for FY 2009-2013

| | Revenues | | Expenditures | |
|---------|-----------------------------------|-------|---------------------------------------|-----------|
| | Licensing | Other | Personal Services | Operating |
| FY 2009 | \$89,985 | | \$91,979 | |
| FY 2010 | \$89,128 | | \$93,713 | |
| FY 2011 | \$101,946 | | \$118,453 | |
| FY 2012 | \$129,017 | | \$155,203 (\$93,423 budgeted) | |
| FY 2013 | 7/1/ 2012 to 2/25/2013 = \$16,350 | | Budgeted Expenditures \$93,470 | |

| Expenditures, FY 2010 Total: \$93,713 | Direct | Indirect | |
|--|----------|----------|----------------|
| | | Admin | Div. IT/Bureau |
| Personal Services, incl. per diem | \$34,322 | \$4,700 | \$2,949 |
| Operating Expenses | | | |
| Consulting, Printing, IT, Other | \$17,521 | | \$1,145 |
| Supplies, incl. Computer | \$1,606 | | \$761 |
| Postage, mailing, IT network, voice services | \$806 | | \$1,186 |
| Travel for Board Members | \$4,868 | | -- |
| Rent and other expenses* | \$2,248 | | \$5,878 |
| Legal and hearings | \$15,723 | | -- |

*Includes computer and office equipment repair of \$80, dues, education & training, and fee collection expense of \$2,168 for direct expenses and rent of \$1,764, DLI OIT expense of \$1,172, and indirect agency of \$2,942 for indirect expenses.

Number of Complaints

FY 09 7

FY 10 13

FY 11 31

Disciplinary Action (may be from other years)

FY 09 2 dismissed, 1 other sanction
18 investigations

Scope of Practice

Morticians - Supervise funerals, make preneed or at-need contractual arrangements for funerals, prepare dead bodies for burial other than by embalming, maintain a mortuary for preparation, disposition, or care of dead human bodies, and embalm, which includes obtaining burial or removal permits as well as disinfecting and preserving or attempting to preserve dead human bodies by the use of chemical substances, fluids, or gases intended for those purposes.

Intern - A person who meets the educational and testing requirements and engages in the practice of mortuary science under the supervision of a licensed mortician.

2011 Legislation Impacting Board or Profession

- HB 94, sponsored by Rep. Arntzen at the request of the Department of Labor and Industry, generally revises reciprocity and other board functions. (Became law)

Summary of Responses from Survey as made through October 3, 2011:

3 Responses from Board of Funeral Service licensees

All 3 were dissatisfied with the Board's actions and indicated the board protected morticians more than crematory operators. None felt the board was necessary.